

OFFICE OF FISCAL ANALYSIS

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HB-5228

AN ACT CONCERNING ELECTRONIC NICOTINE DELIVERY SYSTEM AND VAPOR PRODUCT DEALERS.

AMENDMENT

LCO No.: 4260

File Copy No.: 235

House Calendar No.: 191

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Consumer Protection, Dept.	GF - Cost	43,436	55,248
Consumer Protection, Dept.	Cannabis Regulatory Fund - Cost	83,836	109,114
State Comptroller - Fringe Benefits ¹	GF - Cost	49,708	66,277
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund; Various=Various

Municipal Impact: None

Explanation

The amendment strikes the underlying bill and its associated fiscal impact resulting in the following impact.

The amendment adds reporting requirements and adds to the reasons the Department of Consumer Protection (DCP) can deny an e-

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.82% of payroll in FY 27.

cigarette dealer registration resulting in a cost to the state.

To meet the requirements of the amendment, DCP will have to hire a processing technician resulting in a General Fund cost of \$43,436 in FY 27 and \$55,248 in FY 28, and a drug control agent resulting in a Cannabis Regulatory Fund cost of \$83,836 in FY 27 and \$109,114 in FY 28². In addition to the two new positions there will be associated fringe benefit costs of \$49,708 in FY 27 and \$66,277 in FY 28. The two additional employees are needed to process the additional data collection required by the amendment and ensure compliance measures are met by licensees. In FY 25 DCP received over 1,400 renewal applications for e-cigarette licenses.

The amendment also allows DCP to impose a civil penalty of up to \$5,000 for certain e-cigarette violations resulting in a potential revenue gain to the General Fund to the extent violations occur.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

²The processing technician will be paid from the General Fund and the drug control agent will be paid from the Cannabis Regulatory Fund.